

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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SHARON GRIGGS AND HEZEKIAH  
GRIGGS, JR., AS CO-ADMINISTRATORS  
AD PROSEQUENDUM OF THE ESTATE OF  
HEZEKIAH GRIGGS III, AND  
INDIVIDUALLY,

Plaintiff(s),

vs.

SWIFT TRANSPORTATION CO., INC.,  
SWIFT TRANSPORTATION CO. OF  
ARIZONA LLC, JOHN DOES (1-10) AND  
ABC CORPS (1-10),

Defendant(s)

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Civil Action No. 2:17-CV-13480

NOTICE OF MOTION TO  
DISMISS FOR LACK OF  
PERSONAL JURISDICTION,  
IMPROPER VENUE, AND  
FORUM *NON CONVENIENS* OR  
IN THE ALTERNATIVE FOR  
TRANSFER PURSUANT TO 28  
U.S.C. § 1631

TO: Alan Jeffrey Markman, Esq.  
Markman & Cannan, LLC  
391 Franklin Street  
P.O. Box 1489  
Bloomfield, NJ 07003

David T. Sirotkin, Esq.  
Morelli Law Firm PLLC  
777 Third Avenue  
31<sup>st</sup> Floor  
New York, NY 10017

COUNSEL:

PLEASE TAKE NOTICE that on April 2, 2018, at 9:00 a.m., or at such other date and time as the Court may direct, defendant Swift Transportation Co. of Arizona, LLC, through its undersigned counsel, will move before the Hon. Madeline Cox Arleo at the United States District Court located at Martin Luther King Building & U.S. Courthouse, 50 Walnut Street, Newark, New Jersey for an Order dismissing the Complaint in this matter for lack of personal jurisdiction, improper venue, and forum *non conveniens*, or in the alternative transferring this matter to the Middle District of Florida pursuant to 28 U.S.C. § 1631.

PLEASE TAKE FURTHER NOTICE that defendants will rely on the accompanying Certification of Von Burdorf, Certification of Robert M. Hanlon, Jr., and Memorandum of Law submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Dated: February 28, 2018

Respectfully submitted,

/s/ Robert M. Hanlon, Jr.  
Robert M. Hanlon, Jr.  
Goldberg Segalla LLP  
Attorneys for Defendant Swift  
Transportation Co. of Arizona LLC

### **CERTIFICATION OF SERVICE**

On this date, I caused to be filed and served, via the ECF system, a copy of the foregoing Notice of Motion, together with copies of the supporting Memorandum of Law, Certification of Von Burdorf, Certification of Robert M. Hanlon, Jr., and proposed form of Order. I also caused copies of these documents to be sent via New Jersey Lawyers Service, addressed to the following counsel in this matter:

Alan Jeffrey Markman, Esq.  
Markman & Cannan, LLC  
391 Franklin Street  
P.O. Box 1489  
Bloomfield, NJ 07003

David T. Sirotkin, Esq.  
Morelli Law Firm PLLC  
777 Third Avenue  
31<sup>st</sup> Floor  
New York, NY 10017

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 28, 2018.

/s/ Robert M. Hanlon, Jr.  
Robert M. Hanlon, Jr.